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The BroadNet Alliance

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FILED ELECTRONICALLY

May 22, 2003

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12 Street, SW
Washington, DC 20554

**Re: CC Docket No. 02-33 -- Appropriate Framework for Broadband Access to the
Internet over Wireline Facilities
*Ex Parte Communication***

Dear Ms. Dortch:

Pursuant to Section 1.1206(a)(1) of the Commission's Rules, on behalf of The BroadNet Alliance (BroadNet), I am filing this letter electronically to report an oral ex parte communication in the above-referenced proceeding.

Yesterday, I, representing the members of the BroadNet Alliance, met with Senior Legal Advisor Jordan Goldstein and Legal Advisor Jessica Rosenworcel, in the office of Commissioner Michael Copps, regarding the above-mentioned wireline broadband proceeding.

Our discussion focused on BroadNet's increasing concern regarding the direction of this vitally important proceeding. The members of BroadNet, which comprise a wide spectrum of Internet Service Providers (ISPs) from large national providers, to small local ISPs and state ISP associations, bring far more to consumers than merely content. However, the proposals put forward in the 02-33 proceeding seem to ignore the myriad of access services and consumer benefits provided by members of BroadNet and the 7,000 ISPs enjoyed by Americans - and the Internet - today.

BroadNet strongly disagrees with those who would suggest that ISPs do not deliver value to consumers or to the Internet. These companies been at the forefront of the Internet revolution, often the first to deliver Internet access and services to customers, especially in hard-to-serve areas, or areas where the incumbent has declined to deliver. As BroadNet and other ISPs have demonstrated repeatedly during these critical years in telecommunications policy, consumers

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choose among ISPs based on far more than just content. One need only look at recent headlines to see ISPs on the front pages, delivering a variety of services from spam tools and filters, security and privacy options, parental controls or no-frills pricing packages. It should be at the consumers' discretion to choose an ISP based on his or her individual needs and values – not at the government's. Yet, what the Commission proposes will yield exactly that – a “corporate” Internet instead of the “free” Internet we have all come to know, enjoy and depend upon. Consumer choice will be substituted with the one-size-fits-all, lowest common denominator offering from a handful of ever-growing corporate conglomerates.

Finally, ISPs do not receive “special treatment” or get anything for “free” from the Computer Rules. They merely require the ILECs to offer ISPs the ability to purchase basic transmission services on the same terms and conditions as the ILECs offer their own affiliated ISPs -- simple non-discrimination requirements the Commission itself has consistently upheld. Furthermore, the ILECs have never produced any tangible evidence that continued adherence to these rules is in any way harmful to them, or to the development of broadband in general.

BroadNet, and the millions of Internet subscribers it represents, urges the Commission to reconsider.

If there are any questions regarding this submission, please contact me at the above number.

Respectfully submitted,

Maura Colleton Corbett
Executive Director

Cc: Chairman Michael Copps
Jordan Goldstein
Jessica Rosenworcel
Carol Matthey
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